[Mr. President]
two sides to a question and if the House will be so tolerent as to give me time and if the House is considerate to grant me the time, I would certainly, after getting the decision, proceed further.

Mr. P. Govinda Menon (*Ernakulam*): Proceed on what, Sir?

Mr. President: Proceed then whether it should be on an official day or not and if it is found that it cannot be posted on an official day, then the Chair may think of making changes in the Agenda and posting it for a non-official day.

Mr. P. Govinda Menon (*Ernakulam*): Not with our consent?

Mr. President: It may be with your consent or not,—if the rules permit that. I hope the House will understand the Chair's difficulty also. If the rules permit and if it is found that this is a matter which cannot be posted for an official day then the Chair must think of what the next step to be taken is, whether it should be posted for a non-official day.

Mr. P. Govinda Menon (*Ernakulam*): It has to be balloted. It cannot be posted.

Mr. President: It is not to be balloted. How?

Mr. P. Govinda Menon (*Ernakulam*): When it comes to that I will say that.

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): He has stated that he is not prepared to say. Why then solicit, court and coax?

Mr. President: It is neither coaxing or cajoling. I hope the expert opinion will elucidate the point and after that the next step will be taken with the co-operation of the House.

Mr. P. Govinda Menon (*Ernakulam*): The elucidation will be in the open House, I suppose.

Mr. President: Certainly. If it is not made in the open House the Hon'ble Member can take up the point again and again. Now we are at a stand-still. That is what I honestly feel. I place it before the House. Instead of proceeding with the matter in the light of the difficulty created and in the light of the fact that the Constitutional Adviser himself who is a great expert in this matter wants time, I am prepared to get his opinion in this matter and then proceed to the next step.

Mr. P. Sankara Menon (*Trichur-North*): I want a ruling.

Mr President: That is the ruling. I have taken my decision. You must understand that it is one among you who sits here whatever might be the other considerations. The House can pass on to the next item on the Agenda.

Mr. Paramel Ipe Ipe (*Kunnamkulam*): Regarding the question of fact as to who gave precedence to this motion?

Mr. President: When the motion was accepted I take the sole responsibility.

Mr. P. Govinda Menon (*Ernakulam*): I do not create any difficulty. Under what provision?

Mr. President: If the House agrees.....

Mr. P. Govinda Menon (*Ernakulam*): If the house agrees?

Mr. Pesident: Under Standing Order 70, I propose to proceed to the next item. There was an item that was reserved for consideration today. We shall take it up now.

3. DEMANDS FOR SUPPLEMENTARY GRANTS

(6)—30—Public Works—Water works by transfer from B 1. 36/23 (*Cont.*)

റാവുബഹദൂർ ടി. കെ. നായർ: പബ്ലിക്കവർക്സ് ഡിപ്പാർട്ട്മെൻറിലേക്കുള്ള ഫണ്ടിന്റ തുപായുടെ ഒരു ധനാഭ്യർത്ഥനകൊണ്ടുവന്ന അവസരത്തിൽ B. ക. നമ്പ/റ. ന-ൽ നിന്നും ട്രാൻസ്ഫർചെയ്യാനുള്ള കാരണമെന്താണെന്ന മിസ്റ്റർ എഴത്തശ്ശൻ ചോദിച്ചതിന്ന അതിന്റെ വിശദവിവരം ഇന്ന പറയാമെന്ന പറഞ്ഞിരുന്നു. അതു ഇതാണ്. ബഡ്ഡറ്റിൽ രണ്ടു ഫിൽട്ടർ വാങ്ങിയ്ക്കാനുള്ള പ്രൊവിഷനുണ്ട്. കഴിഞ്ഞ കൊല്ലത്തിൽ രണ്ടു ഫിൽട്ടർ വാങ്ങിയിട്ടുണ്ട്. അതു ഫിറ്റചെയ്യാനുള്ള ബുദ്ധിമുട്ടുകൊണ്ടു ഫിറ്റചെയ്തിട്ടില്ല. അതിന്റെ പണം കൊടുക്കാൻ കുറച്ചു താമസം വേണ്ടിവരും. അതുകൊണ്ടു രണ്ടെണ്ണം ഈ കൊല്ലത്തിൽ വാങ്ങേണ്ട എന്നു നിശ്ചയിച്ചു. ഇതിന്റെ റിസൽട്ട അറിഞ്ഞിട്ടു വേണമെങ്കിൽ വരുന്നകൊല്ലത്തിൽ വരുത്താമെന്നാണ് തീച്ചയാക്കിയിരിക്കുന്നതു്. അതിനുവേണ്ടി നിശ്ചയിച്ചിട്ടുള്ള തുകയിൽനിന്നാണ് Transfer ചെയ്യാമെന്നുവെച്ചതു്.

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Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: I am satisfied with the unsatisfactory reply.

Demand put and carried

(12) 40—Labour—Misceellaneous *(Cont.)*

Mr. President: The Hon'ble Minister for Food and Education will continue his speech.

Mr. K. Balakrishna Menon *(Minister for Food and Education)*: Sir, I stated yesterday that some labourers approached me and wanted the Government to stand by when they would attempt to enter into the factory. And today I would narrate how a few of the labour leaders approached me with ready-made solutions. One leader suggested that the Government should put the employers in prison. Yet others suggested that the Government should immediately assume the management of the factory. I could not agree to either of these proposals for manifest reasons. For one thing, Sir, there was no provision of law. For another, even if there was provision of law, I could not do it because of the fundamental principle that if a factory has no capacity to keep going on, it should not be compelled to open the factory and run it. I am happy, Sir, to state that even in the award of the Adjudicator this sentiment has been expressed. I am still happier to observe that no less a person than the Hon'ble Minister for Labour in the Dominion Government has stated this as a policy to be followed by that Government also. So that, Sir, the question before me was, was this a genuine case where the industries were not in a position to carry on for want of capacity or was this a case of wilfully circumventing the award. It was vehemently contended on behalf of the factory-owners that it was a case of sheer incapacity. It was equally vehemently contended by the labour leaders that it was just the other way, so that on this point of issue, this difference has to be considered, and if it had not been considered by the Adjudicator, it has necessarily to be considered by the Government. I therefore referred the matter to the then Adjudicator to ascertain whether he has addressed his mind to this particular aspect and the honest and conscientious man that he is, he wrote back saying that this question has not been considered by him. Sir, then the problem was, what was the way out. So far as I could see, there were only two ways, one voluntary agreement between the parties by compromise, agreeing to sit at a table, talk over the matter and arrive at a settlement; the other was by ligislative sanction. We resolved to take up the former course and by this time, I had to leave the State for Delhi, and the Prime Minister assumed charge and continued the thread of discussion and negotiation. Both the factory owners and the representaives of the labour—I was told my Honourable friend, Mr. Achutha Menon represented the Labour—tentatively came to an agreement whereby the Government should persuade the factory-owners to open their factories and the factories also should give two days' wages at least to the workers in accordance with the terms of the award. It was also agreed that prior to the closing down period of the factory, the factory managers should be implementing the terms of the award. All this was agreed to by the managers. My friend Mr. Achutha Menon is reported to have observed that he wanted to consult the labourers once again and that a phone message will be sent in the evening. By this time, Sir, I had come down and we all were anxiously awaiting for the message. The message came but it stated that the labourers could agree only on one factor that the factory managers should unconditionally open the factory and start work. As regards the alternatives, the terms of the award may be a matter left for the sole decision of not only the Karuvannur labourers but also of other labour organisations. But they employed other ways. They were not agreeable to this course. In the meanwhile they had started picketing, hunger strike and all the technics. Sir, it was in these circumstances that I resolved to resort to other course that was open to me to end this deadlock. And what is the effect? It was reported to me that immediately on the appointment of this adjudication tribunal the labour contended that it was detrimental to their interests; the management contended that their interests also were overlooked because the award was not acceptable to them, and the only course open was the position taken up by the Government. This connot be a mistake on the part of the Government. I have no hesitation in saying this. My friend Mr. Achutha Menon said during the course of the adjournment motion on the very same point that the Government had committed a blunder.

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